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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

SAMANTHA LOPEZ, a minor, by and )  
through her Guardian Ad Litem Liliana )  
Cortez; SAMANTHA LOPEZ, a minor, by )  
and through her Guardian Ad Litem Liliana )  
Cortez, as Successor in Interest of David A. )  
Lopez, deceased )

Plaintiffs,

vs.

THE COUNTY OF SAN DIEGO, a )  
municipality; THE CITY OF VISTA, a )  
municipality; SAN DIEGO COUNTY )  
SHERIFF WILLIAM KOLENDER, )  
individually and in his official capacity ; )  
SAN DIEGO COUNTY SHERIFF )  
OFFICER SHAWN AITKEN, individually )  
and in his official capacity ; SAN DIEGO )  
COUNTY SHERIFF OFFICER JACOB )  
PAVLENKO, individually and in his )  
official capacity; SAN DIEGO COUNTY )  
SHERIFF OFFICER JONATHAN )  
FECTEAU, individually and in his official )  
capacity; ARACELI GOCOBACHI, an )  
individual; DOES 1 through 20, inclusive, )

Defendants.

CASE NO. 07CV2028-JLS(WMc)

**EX PARTE APPLICATION AND ORDER  
FOR APPOINTMENT OF GUARDIAN  
AD LITEM**

[CCP § 377.32]

Date:  
Time:  
Dept:

1. Applicant Samantha Lopez is a party to the suit and the minor to be represented.
2. This application seeks the appointment of the following person as guardian ad litem:  
Liliana Cortez, 327 Arnel Avenue, Vista Ca 92083; 760-639-2867
3. The guardian ad litem is to represent the interests of the following person:  
Samantha Lopez, 327 Arnel Avenue, Vista CA 92083.
4. The person to be represented is a minor born on October 12, 2000.
5. The court should appoint a guardian ad litem because Samantha Lopez, the person named in item 3, has a cause or causes of action on which suit should be brought, in particular:
  - A. Samantha Lopez, a minor, has a valid and meritorious claim for the wrongful death of her father, David A. Lopez. The proposed guardian ad litem is not a party to the litigation. Samantha Lopez has no guardian or conservator of her estate.
  - B. The appointment of a guardian ad litem is necessary for the following reasons:  
The applicant is a minor, age 7. The proposed guardian ad litem is the minors natural mother and is not a party to the litigation. The proposed guardian ad litem will protect the interest of the minor child.
6. The proposed guardian ad litem's relationship to the person he or she will be representing is that she is the natural mother of the minor, Samantha Lopez.
7. The proposed guardian ad litem is fully competent and qualified to understand and protect the rights of the person he or she will represent and has no interests adverse to the interests of that person.

Date: 5/13/08

  
Victor Manuel Torres, Attorney for Plaintiffs

1  
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3  
4 **CONSENT TO ACT AS GUARDIAN AD LITEM**  
5

6 I consent to the appointment as guardian ad litem under the above petition.  
7

8 Date: 5/13/08  
9

10 Liliana Reyes (CORTEZ)  
11

12 Liliana Cortez  
13

14 **ORDER APPOINTING GUARDIAN AD LITEM**  
15

16 THE COURT FINDS that it is reasonable and necessary to appoint a guardian ad litem for the  
17 person named in item 3 of the application, as requested.

18 THE COURT ORDERS that Liliana Cortez is hereby appointed as the guardian ad litem for  
19 Samantha Lopez for reasons set forth in item 5 of the application.  
20

21 Date: \_\_\_\_\_  
22

23 \_\_\_\_\_  
24 Judge  
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